

Supreme Court of the
United States

October Term, 2002

HEARING LIST

For the Session Beginning
February 24, 2003

**THE JUSTICES AND THE JUDICIAL CIRCUITS
TO WHICH THEY ARE ASSIGNED**

HON. WILLIAM H. REHNQUIST, Chief Justice, Fourth,
District of Columbia and Federal Circuits.

HON. JOHN PAUL STEVENS, Associate Justice, Sixth
and Seventh Circuits.

HON. SANDRA DAY O'CONNOR, Associate Justice, Ninth
Circuit.

HON. ANTONIN SCALIA, Associate Justice, Fifth Circuit.

HON. ANTHONY M. KENNEDY, Associate Justice, Elev-
enth Circuit.

HON. DAVID H. SOUTER, Associate Justice, First and
Third Circuits.

HON. CLARENCE THOMAS, Associate Justice, Eighth
Circuit.

HON. RUTH BADER GINSBURG, Associate Justice, Sec-
ond Circuit.

HON. STEPHEN BREYER, Associate Justice, Tenth
Circuit.

OFFICERS OF THE COURT

WILLIAM K. SUTER, Clerk.

FRANK D. WAGNER, Reporter of Decisions.

PAMELA TALKIN, Marshal.

SHELLEY L. DOWLING, Librarian.

NOTICE TO COUNSEL

1. The Clerk timely informs counsel as to the day counsel must be present for oral argument. The Court convenes at 10 a.m. and each case is usually heard on the date assigned.

2. Counsel scheduled to argue must report to the Lawyers' Lounge between 9:00 and 9:15 a.m. on the day assigned for argument. The Clerk will brief you at that time and provide assistance. Identification cards will be issued to the attorneys authorized to occupy seats at argument tables. Counsel arguing cases *should not* introduce themselves nor introduce co-counsel to the Court at the time of argument. Members of the Court should be addressed by their proper titles—"Chief Justice" or "Justice," as the case may be—and not as "judge."

3. Counsel are expected to take note of time limitations and inquiry should not be made of the Court as to the amount of time remaining. A white light will appear when five minutes remain and a red light when the time has expired. When the Court permits a division of time for argument, the use of more than the agreed time by one attorney does not extend the total time allotted. Counsel should conclude argument promptly when the red light appears unless responding to a question from the Court.

4. During argument counsel should at all times speak into the microphone so that the Justices may hear them and that a clear tape recording can be made. Counsel should also avoid having notes or books touch the microphone since this seriously interferes with the recording process.

5. Counsel in cases to be argued in the afternoon should assemble at the Clerk's desk in the Courtroom when the noon recess begins. An escort will arrange expedited service in the public cafeteria located in the Court building.

6. Appropriate attire for counsel is conservative business dress. If formal attire is worn, it should conform with custom.

WILLIAM K. SUTER, *Clerk.*

HEARING LIST

Monday, February 24, 2003

No. 02–215. *Pacificare Health Systems, Inc., et al. v. Jeffrey Book, et al.*

Certiorari to the C. A. 11th Circuit.

For petitioners: William E. Grauer, San Diego, Cal.

For respondents: Joe R. Whatley, Jr., Birmingham, Ala.

(1 hour for argument.)

No. 02–42. *Franchise Tax Board of California v. Gilbert P. Hyatt, et al.*

Certiorari to the Supreme Court of Nevada.

For petitioner: Felix Leatherwood, Deputy Attorney General, Los Angeles, Cal.

For respondents: H. Bartow Farr, III, Washington, D. C.

(1 hour for argument.)

Tuesday, February 25, 2003

No. 01–1559. *Joseph Massaro v. United States.*

Certiorari to the C. A. 2nd Circuit.

For petitioner: Herald P. Fahringer, New York, N. Y.

For respondent: Srikanth Srinivasan, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

(1 hour for argument.)

No. 01–1435. *Clackamas Gastroenterology Association, P. C. v. Deborah Wells.*

Certiorari to the C. A. 9th Circuit.

For petitioner: Steven W. Seymour, Portland, Ore.; and Irving L. Gornstein, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: Craig A. Crispin, Portland, Ore.

(1 hour for argument.)

Wednesday, February 26, 2003

No. 02–69. *Joseph C. Roell, Petra Garibay, and James Reagan v. Jon Michael Withrow.*

Certiorari to the C. A. 5th Circuit.

For petitioners: Lisa R. Eskow, Deputy Solicitor General, Austin, Tex.

For respondent: Amanda Frost, Washington, D. C.

(1 hour for argument.)

No. 02–271. *Dow Chemical Company, et al. v. Daniel Raymond Stephenson, et al.*

Certiorari to the C. A. 2nd Circuit.

For petitioners: Seth P. Waxman, Washington, D. C.

For respondents: Gerson H. Smoger, Oakland, Cal.

(1 hour for argument.)

Monday, March 3, 2003

No. 02–5664. *Charles Thomas Sell v. United States.*

Certiorari to the C. A. 8th Circuit.

For petitioner: Barry A. Short, St. Louis, Mo. (*Appointed by this Court.*)

For respondent: Michael R. Dreeben, Deputy Solicitor General, Department of Justice, Washington, D. C.

(1 hour for argument.)

No. 01–1806. *Lisa Madigan, Attorney General of Illinois v. Telemarketing Associates, Inc., et al.*

Certiorari to the Supreme Court of Illinois.

For petitioner: Richard S. Huszagh, Assistant Attorney General, Chicago, Ill; and Paul D. Clement, Deputy Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: M. Errol Copilevitz, Kansas City, Mo.

(1 hour for argument.)

Tuesday, March 4, 2003

No. 02–196. *National Park Hospitality Association v. Department of the Interior, et al.*

Certiorari to the C. A. for the District of Columbia Circuit.

For petitioner: Kenneth S. Geller, Washington, D. C.

For respondents: John P. Elwood, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

(1 hour for argument.)

No. 02–322. *United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives v. City of Chicago, Illinois.*

Certiorari to the C. A. 7th Circuit.

For petitioner: Patricia A. Millett, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

For respondent: Lawrence Rosenthal, Deputy Corporation Counsel, Chicago, Ill.

(1 hour for argument.)

Wednesday, March 5, 2003

No. 02–361. *United States, et al. v. American Library Association, Inc., et al.*

Appeal from the U. S. D. C. for the Eastern District of Pennsylvania.

For appellants: Theodore B. Olson, Solicitor General, Department of Justice, Washington, D. C.

For appellees: Paul M. Smith, Washington, D. C.

(1 hour for argument.)

No. 02–258. *Susan Jinks v. Richland County, South Carolina.*

Certiorari to the Supreme Court of South Carolina.

For petitioner: Robert S. Peck, Washington, D. C.

For United States, as intervenor: Jeffrey A. Lamken, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

For respondent: Andrew F. Lindemann, Columbia, S. C.

(1 hour for argument.)
